

Cheese Importers Association of America, Inc.

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NEW YORK, NY 10022

May 12, 2004

By Federal Express And Electronic Mail

Dockets Management Branch
U.S. Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, Maryland 20852

Re: Docket No. 2002N-0276 – Registration of Food Facilities Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002; Reopening of Comment Period

The Cheese Importers Association of America, Inc. (CIAA or the Association) appreciates this opportunity to submit comments to the Food and Drug Administration (FDA) on the Registration of Food Facilities Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002; Reopening of Comment Period, 69 Fed. Reg. 19766 (April 14, 2003).

The Association is a tax-exempt trade association formed more than 50 years ago. Its members comprise the vast majority of the firms that import, market, sell and distribute this nation's supply of imported cheese, butter and other edible dairy products. CIAA members annually import dairy foods having a Customs value of approximately \$1 billion.

In the notice reopening the comment period on the registration of food facilities interim final rule, FDA poses several questions. FDA is specifically seeking information regarding the costs to foreign facilities to hire and retain a United States agent. FDA further is asking for evidence of any foreign businesses that have ceased exporting to the United States because of the registration requirement.

In the CIAA's experience, the costs and inconvenience to foreign facilities to register and retain a United States agent have not been prohibitive. CIAA members have not had the personal experience of a potential supplier declining to undertake importation into the United States due to registration or agent concerns. While aspects of FDA's interim final rules have increased the costs

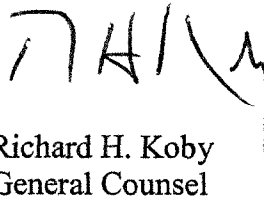
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to do business in the United States, the CIAA is not aware of any companies that have ceased doing business in the United States because of the costs associated with registration and acquisition of a U.S. agent.

Our Association sincerely thanks FDA for its efforts to create a smooth and workable facility registration system. Our members are committed to continuing to work with FDA to assure a balance of food security needs and commercial realities.

Very truly yours,

A handwritten signature in black ink, appearing to read 'RHK', with a long vertical line extending downwards from the end of the signature.

Richard H. Koby
General Counsel